

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

**DARRYL ANDERSON, HORRIS)
ANDREWS, OLIVIA BRACKINS,)
GUYZARICK CARSAR FRAZIER,)
DEANNA JACKSON, HARRY LETT,)
ANGELA M. WILLIAMS, SHANETHA)
R. ADAMS, KATINA BINION,)
NORLINE BLACK, GENEVA BYNUM,)
ANTHONY D. DAVIS, VELVERLYN)
ANN GIBSON, VETA GRIFFIN,)
WALTER J. HAMILTON, CLARICE)
HICKS, LAQUNDA KEGLER,)
ROY LEE KING, HORACE LOVE,)
BRITANNICA MCCOY, CAROLYN)
L. MCCOY, DON MURRY, BILLY)
JOE NEWBY, FELISHA SIMON,)
HATTIE N. SMITH, RANDY SOL JR.,)
MICHELLE TILLER, KATRINA)
WARD and ANNIE J. WOODLEY)**

Plaintiffs,

V.

PERDUE FARMS INCORPORATED,)
a Maryland corporation doing business)
in Alabama,)
Defendant.)

Case Action No.:
1:06-CV-1000-MEF-WC

JURY TRIAL DEMANDED

**SECOND CONSENT MOTION FOR EXTENSION OF TIME FOR
DEFENDANT TO RESPOND TO PLAINTIFFS' COMPLAINT**

Defendant Perdue Farms Incorporated (“Defendant”), with the consent of Plaintiffs in the above-captioned case, and, through its undersigned counsel, moves this Honorable Court for an extension of 30 days in which to file its initial pleading responsive to Plaintiffs’ Complaint. In support of this Motion, Defendant shows the Court as follows:

1. Plaintiffs filed this cause of action on November 3, 2006.

2. Defendant was served with process on November 30, 2006.

3. On December 19, 2006, this Court granted the parties' Consent Motion for Extension of Time, making Defendant's initial responsive pleading due to be filed no later than January 19, 2007.

4. Counsel for Plaintiffs has consented to Defendant's request for a second 30-day extension subject to the approval of this Court. The parties are currently in discussions regarding the scope and nature of the claims and possible disposition of the case.

5. Should the requested extension be granted, the initial responsive pleading of Defendant will be due to be filed on or before February 18, 2007.

6. This cause of action is a collective action brought pursuant to the Fair Labor Standards Act, 29 U.S.C. § 201 et seq., and a second 30-day extension should not unduly delay these proceedings.

WHEREFORE, premises considered, Defendant requests this Honorable Court grant this Motion and allow it until February 18, 2007, to file its initial responsive pleading in this case.

The parties hereto have agreed that Sandra Reiss will e-file the Consent Motion.

s/Sandra B. Reiss
Sandra B. Reiss, Esq.
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Counsel for Defendant, Perdue Farms Incorporated

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing Second Consent Motion for Extension of Time for Defendant to Respond to Plaintiffs' Complaint has been electronically filed on this 9th day of January, 2007, using the CM/ECF system which will send a notice of electronic filing as well as the full text of the Consent Motion to counsel of record, Samuel A. Cherry, Jr., Lance H. Swanner, and Joseph D. Lane, who are confirmed to be individually registered for e-filing and will receive the same electronically from the Court. Further, a copy has been forwarded to James Kelly and Brian Liss, admitted pro hac vice on behalf of Perdue Farms, Inc.

s/Sandra B. Reiss

Sandra B. Reiss, Esq.

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